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Report of the Secretary-General on the situation in Somalia pursuant to paragraphs 3 and 9 of Security Council resolution 1744 (2007)

I. Introduction

1. The Security Council, in paragraph 3 of its resolution 1744 (2007), requested that I assist the transitional federal institutions of Somalia with the convening of a national reconciliation congress, and, more widely, promote an ongoing all-inclusive political process, working together with the African Union, the League of Arab States and the Intergovernmental Authority on Development (IGAD). It also requested that I report back to the Council within 60 days of the adoption of the resolution on progress made by the transitional institutions in pursuing an all-inclusive political process and reconciliation.

2. In paragraph 9 of the same resolution, the Council further requested that I send a technical assessment mission to the headquarters of the African Union and to Somalia to report on the political and security situation and the possibility of a United Nations peacekeeping operation following the deployment of the African Union Military Observer Mission in Somalia. It requested me to report to the Council, also within 60 days, with recommendations covering the further engagement of the United Nations in support of peace and security in Somalia and further recommendations on stabilization and reconstruction.

3. In accordance with resolution 1744 (2007), I dispatched a multidisciplinary technical assessment mission to the region from 15 to 26 March 2007, led by the Department of Political Affairs and comprising staff of the Department of Peacekeeping Operations, the United Nations Political Office for Somalia, the United Nations Development Group Office, the Department of Safety and Security, the Office for the Coordination of Humanitarian Affairs and the Office of the United Nations High Commissioner for Human Rights (OHCHR). Two representatives of the United Nations country team for Somalia, one from the United Nations Development Programme (UNDP) and the other from the Office for the Coordination of Humanitarian Affairs, also joined the mission.

4. The present report details the progress achieved in the all-inclusive political process and reconciliation, as requested by the Security Council in paragraph 3 of its resolution 1744 (2007). It also provides the key findings of the technical assessment mission dispatched in accordance with paragraph 9 of the resolution. The report concludes with recommendations for United Nations action in Somalia

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covering the political, security peacekeeping, humanitarian, human rights and reconstruction sectors.

II. Progress in the political process

5. The Transitional Federal Government was mandated under the Transitional Federal Charter to foster national reconciliation among Somalis through the establishment of an independent national reconciliation commission. The commission was mandated by the Transitional Federal Parliament in June 2006 to conceptualize and manage the reconciliation process at the district, regional and national levels.

6. Recent political and military developments, as described in my progress report dated 28 February 2007 (S/2007/115) and previous quarterly reports on Somalia submitted to the Security Council by my predecessor, have highlighted the need to broaden the political process and promote genuine reconciliation through an inclusive dialogue. There has been considerable pressure on the Transitional Federal Government, both by the international community and from within Somalia, to promote reconciliation involving all national stakeholders willing to renounce violence and abide by the Transitional Federal Charter.

7. Consequently, although it is not required under the Transitional Federal Charter, in January 2007 President Abdullahi Yusuf Ahmed proposed that a national reconciliation congress be organized, with representation along the lines of the clan-based power-sharing formula that was at the basis of the Somali National Reconciliation Conference, held in Eldoret and Mbagathi, Kenya, in 2002-2004, on which the Transitional Federal Charter is implicitly based. The 4.5 power-sharing formula provides for the equitable distribution of positions in the transitional institutions among the four main Somali clans (the Hawiye, the Darod, the Dir, and the Digil and Mirifle), with the remaining posts to be allocated to minority clans. The congress, which was scheduled to open in Mogadishu on 16 April 2007 for a 60-day period, with some 3,000 participants, is being rescheduled to a later date.

8. The proposed congress would provide an important opportunity to promote national reconciliation. However, it is only one element in a broader ongoing reconciliation process. While the Congress will be based on the 4.5 power-sharing formula, recent developments in Somalia suggest that a wider, more inclusive dialogue and reconciliation process will be required in order to incorporate all clans and sub-clans that are willing to engage with the transitional institutions within the political process in a peaceful and constructive manner, within the framework of the Charter, so as to widen the support base for the political process and make it more representative.

9. Reconciliation efforts at the district and regional levels are taking place with support from the United Nations and non-governmental organizations. These initiatives have contributed to maintaining some level of security outside Mogadishu, even while armed conflict has escalated in the capital. District-based efforts, which are vital to support an inclusive and participatory constitution-building process, will need to be expanded to assist in the establishment of local and regional governance institutions and pave the way for elections at the end of the transition period.

10. On 14 March 2007, Prime Minister Ali Mohamed Ghedi presented to members of the international community the Transitional Federal Government's "Roadmap to governance, national dialogue and reconciliation in Somalia", which provided an overview and budget for the planned national reconciliation congress. Prime Minister Ghedi announced that the congress would be independently managed and guided by a six-member national governance and reconciliation committee headed by former President Ali Mahdi Mohamed.

11. My Special Representative, François Lonseny Fall, met with the Prime Minister on 25 March 2007 to discuss the preparations and support for the congress. They agreed on the composition of an international advisory committee to assist in the convening of the congress. The advisory committee includes representatives of the United Nations, the African Union, the League of Arab States, IGAD, the Presidency of the European Union, the European Commission, Belgium, Italy, Norway, Sweden, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Yemen.

12. The international advisory committee intends to work closely with the Chairman of the national governance and reconciliation committee on issues related to support of the planned congress. In addition, UNDP has established a mechanism for the channelling and coordination of financial assistance to the Congress.

13. In his regular contacts with the leadership of the transitional federal institutions, my Special Representative has continued to emphasize the need for them to engage in a meaningful manner with all Somali stakeholders with a view to achieving genuine national reconciliation.

14. My Special Representative has also been in contact with moderate leaders of the former Union of Islamic Courts, encouraging them to renounce violence, abide by the Transitional Federal Charter and engage in reconciliation with the Transitional Federal Government without preconditions. Some moderate leaders of the Union have expressed an interest in participating in the Congress but have insisted that they should do so as representatives of the Union. However, the Transitional Federal Government is insisting that the participation in the congress be in strict accordance with the 4.5 formula and that former Union members who renounce violence may participate in the Congress only as clan members, not as Union representatives. This view is widely shared among members of the international community.

15. My Special Representative has been working closely with members of the international community, including regional organizations, to foster and support an inclusive dialogue between the Government and other Somali stakeholders. He visited Cairo on 3 April 2007 to attend the seventh meeting of the International Contact Group on Somalia, on the sidelines of which he held extensive discussions with senior officials from the League of Arab States. He praised the role played by the League in sponsoring the Khartoum talks between the Transitional Federal Government and the Union and encouraged it to lend similar support for ongoing reconciliation efforts in Somalia, including for the planned congress. My Special Representative will also be meeting representatives from IGAD and the African Union to solicit their political support in this regard. He is urging these organizations, which have played a critical role in promoting peace and stability in Somalia, to continue to engage to ensure the success of reconciliation efforts.

III. Key findings of the technical assessment mission

A. Activities of the mission

16. The United Nations technical assessment mission was led by the Assistant Secretary-General for Political Affairs. The mission began at the headquarters of the African Union in Addis Ababa, on 15 March 2007, with consultations with the Chairperson of the Commission of the Union, the Commissioner for Peace and Security and senior Union officials. The mission also met with the Minister for Foreign Affairs and the Minister of Defence of Ethiopia, as well as with the United Nations country team for Ethiopia and the United Nations Mission in Ethiopia and Eritrea (UNMEE). In Nairobi, the mission met with the United Nations country team for Somalia and representatives of international non-governmental organizations, the World Bank and the United Nations Political Office for Somalia as well as with the Ministers of Defence and Public Security and the Assistant Minister for Foreign Affairs of Kenya. The mission received a briefing from the monitoring group on the United Nations arms embargo on Somalia and met with members of the diplomatic community, both in Addis Ababa and Nairobi. Individual members of the mission also held technical meetings with their governmental counterparts and with partner organizations.

17. The mission travelled to Baidoa for consultations with Prime Minister Ghedi, the Speaker of the Transitional Federal Parliament, and with the authorities responsible for security, army and police matters. Despite two separate attempts to visit Mogadishu to meet with President Yusuf, the Force Commander of the African Union Military Observer Mission in Somalia and representatives of civil society, the security situation prevented the team from travelling to the capital. A small technical team visited Galcayo and met with local authorities and civil society representatives. The mission visited Kampala where it met with President Museveni, the Minister of Defence, the Minister for Foreign Affairs and the Minister of State for Foreign Affairs in charge of regional cooperation of Uganda. The mission completed its work in Addis Ababa on 26 March, following further consultations with the Chairperson of the Commission of the African Union.

B. Political and security overview

18. Somalia has been in a state of conflict, without a functional central Government, for almost 16 years, in spite of the organization of 14 separate peace initiatives, the most recent being the IGAD-led Somali National Reconciliation Conference, held in Eldoret and Mbagathi, Kenya, from 2002 to 2004. That process led to the establishment of the current transitional federal institutions in 2004. From the beginning, the institutions have faced major crises and divisions among their leadership. The Transitional Federal Parliament convened in Baidoa in February 2006, but the Government was unable to extend its authority much beyond the city.

19. In May 2006, conflict broke out between the Alliance for the Restoration of Peace and Counter-Terrorism, comprising several Mogadishu-based warlords, and the Union of Islamic Courts. The Union defeated the Alliance and expanded its authority beyond Mogadishu. Peace talks organized by the League of Arab States in the second half of 2006 failed to result in a power-sharing agreement between the Transitional Federal Government and the Union. On 22 December 2006, intense

fighting broke out near Baidoa between the Union and Transitional Federal Government forces supported by Ethiopian troops. The Union was quickly dislodged from the capital and other areas of south-central Somalia. The Transitional Federal Parliament subsequently approved the relocation of the transitional federal institutions from Baidoa to Mogadishu, although key questions of security and reconciliation remain unresolved.

20. During consultations with its interlocutors, the assessment mission often heard that, while the current situation in Somalia provided a window of opportunity to re-establish effective institutions of governance and advance implementation of the Transitional Federal Charter, it also carried significant risks of renewed and prolonged instability. While "Somaliland" and "Puntland" remain stable, the security situation in south-central Somalia is volatile and has recently deteriorated.

21. Since early January 2007, there have been frequent attacks on Ethiopian and Transitional Federal Government troops in Mogadishu, either against convoys travelling on key routes in the city or against troop locations and official residences, including hotels. There has been an increase in targeted assassinations of persons, including those suspected of being informers or supporters of the Government, and prominent figures. Buildings that house Ethiopian and Transitional Federal Government troops have been subjected to mortar attacks, as have the Mogadishu airport, the main seaport and Villa Somalia, the official State House in the capital. There has been a resurgence of inter- and intra-clan fighting in Mogadishu and elsewhere in Somalia.

22. Threatening anonymous letters, warning against flights into Mogadishu airport, have been sent to aircraft operators. The authors of the letters claimed that they had the capacity to shoot down aircraft. On 9 March 2007, an aircraft deploying troops of the African Union Mission in Somalia was reportedly shot at, upon landing at Mogadishu airport, damaging the aircraft but causing no casualties. On 23 March 2007, an aircraft contracted by the Union appears to have been shot down on take-off from Mogadishu airport, killing 11 passengers and crew members.

23. On 20 March 2007, a United Nations convoy was attacked by use of a roadside bomb and small arms fire some 30 kilometres from Mogadishu on the road from Baidoa. Three Somalis who were providing protection to United Nations staff were injured in the attack. This incident was the first direct attack on the United Nations in Somalia in recent times. The use of roadside bombs, vehicle-borne explosives and suicide bombing is growing in Somalia. On 21 March 2007, Transitional Federal Government forces, supported by Ethiopian troops, commenced operations in Mogadishu with the aim of disarming militias and the population and removing insurgents. This initiative resulted in heavy fighting within Mogadishu and caused thousands of civilians to leave the city for safer areas.

24. The United Nations security phases in effect in Somalia are indicative of the security situation. Mogadishu and the district of Badhadwe are in phase five (evacuation of all United Nations staff), and the remainder of Somalia is in phase four (emergency operations only), except for the western part of "Somaliland", which is in phase three. Somalia presents one of the most challenging security environments worldwide: threats include protracted inter-clan conflicts, banditry and terrorist attacks.

25. On 5 January 2007, an Al-Qaida video urged Somalis and foreign fighters to use Iraqi and Afghan-style suicide and roadside bombings to drive Ethiopian troops out of Somalia, identifying Somalia as a sacred Muslim land. The video did not, however, specifically mention the African Union Mission or the United Nations.

26. Insurgents are reportedly regrouping and may increase their activities against the Transitional Federal Government and Ethiopian troops. Active combatants against the Government in Mogadishu are estimated to number about 3,000, including foreign fighters. In addition, small arms, heavier calibre weapons, surface-to-air missiles and ammunition are widely available in Somalia and continue to flow into the country.

27. It is in the above context that the national reconciliation congress, described in the first section of the present report, is being planned. While the assessment mission found significant support for the congress, several interlocutors expressed concern that many organizational aspects of the congress remained unresolved, including security arrangements, logistics, the selection criteria of the participants and the necessary outreach to explain the objectives to the wider Somali population. Many observers believed it would be unrealistic to bring some 3,000 participants and provide for their security in Mogadishu. Concerns were also expressed as to whether the national governance and reconciliation committee would be able to organize the congress independently, without interference on the part of the Transitional Federal Government, particularly in the delegate selection process. There was wide consensus that a phased withdrawal of Ethiopian troops and the rapid deployment of the African Union Mission at full strength would help build confidence among Mogadishu's population and help ease tensions to enable reconciliation.

28. There was no consensus as to what constitutes all-inclusive broad-based and representative institutions in the Somali context. While some interlocutors expressed the view that the issue of inclusiveness in the transitional institutions was resolved by the Charter through the 4.5 formula, others believed that the implementation of the formula at the sub-clan level should be improved, while remaining within the framework of the Charter. While the power-sharing provision was accepted by the participants at the Conference in Mbagathi, some clans and sub-clans, especially the Habr-Gedir Ayr, feel that they have not been effectively represented in the transitional institutions. At the same time, the transitional institutions have been unable to meet the expectations of the population. Many interlocutors stressed the urgent need for more support to, and better performance by, the transitional federal institutions.

29. The assessment mission's interlocutors were divided with regard to the participation of the former Union of Islamic Courts in the national reconciliation congress. Some interlocutors, including the Transitional Federal Government, warned that inviting the Union as an entity would be tantamount to resuscitating and legitimizing an extremist group that had been defeated and dissolved. In addition, the Government stressed that moderate Islamist elements could join the congress in their individual capacities and on the basis of their clan and sub-clan structures. Others, fearing the capacity of the remnants of the Union to destabilize Somalia, advocated for the inclusion of moderate elements who renounce violence and accept the Transitional Federal Charter.

30. There is broad agreement within the international community that without an all-inclusive political dialogue and reconciliation process, the African Union Mission, or a possible future United Nations peacekeeping force, is unlikely to bring about sustainable peace in Somalia. Several interlocutors were also of the opinion that, as the conflict in Somalia largely revolves around economic resources and political power, not ideology, the sooner the international community bolstered its economic assistance to the Somali people and supported efforts to restore the authority of the State to assume the management of the country's resources, the greater would be the chances of securing sustainable peace.

C. Deployment and operations of the African Union Military Observer Mission in Somalia

31. The African Union should be commended for its strong determination to contribute to the stability of Somalia, which is essential for fostering reconciliation. The deployment of the African Union Military Observer Mission in Somalia in such a challenging and volatile security environment is a daunting task that requires and deserves the full support of the international community.

32. The communiqué of the African Union Peace and Security Council of 19 January 2007, which authorized the establishment of the Mission, provided for the deployment, in four phases, of nine infantry battalions, supported by maritime and air components, and civilian personnel and a 270-member police training team. To date, the African Union has received pledges for approximately half of the 8,000 troops authorized for the Mission. So far, only Uganda has sent troops to Somalia, with the deployment of two battalions and a force headquarters into Mogadishu in early March 2007. The Ugandan troops are presently based at Mogadishu airport, where they have been conducting security tasks in and around the airfield. With the arrival of the Mission's heavy equipment, they have begun to expand their patrolling activity in the capital. Future tasks could include relieving the Ethiopian troops presently securing the city's seaport. With regard to the planned police component, the African Union has yet to develop a concept of operations or to receive pledges from member States.

33. The African Union is facing a considerable challenge in raising the forces required, with the necessary equipment and logistical support provided by designated partners, and the necessary resources to finance the operation. The African Union urgently needs to reinforce the Ugandan contingent in order to facilitate the withdrawal of the remaining Ethiopian forces and to expand its area of operations both within Mogadishu and beyond to complete the first of the operation's anticipated four phases. In addition to this urgent financial and logistical support, the African Union needs assistance to strengthen its headquarters capacity to further plan, deploy and manage its operation in Somalia. The Union has approached the United Nations and other partners to assist in staffing its mission planning and management capacity structure, based in Addis Ababa. The United Nations has done its utmost to meet the Union's request and 10 military, police and civilian experts are in the process of being deployed to the Union's headquarters.

34. In meetings with the assessment mission, the African Union leadership urged, and expected, the United Nations to be ready to quickly take over peacekeeping responsibilities from the Mission. The Union further urged the United Nations to

consider another vision of engagement, whereby troops might not be needed, but rather resources and management structures could be contributed by the Organization in support of African Union troops. The United Nations plans to maintain close liaison with the African Union and its Mission and is prepared to conduct joint planning to assist the Union and prepare for any future United Nations operation. In addition to the planning officers mentioned above, the United Nations could also provide finance and logistics experts and liaison officers to be the Union's headquarters to assist in the management of the Mission's operation and to facilitate coordination and partnership for the Somalia operation.

D. Humanitarian situation

35. Insecurity increases the vulnerability of Somali populations, who have been suffering from the compounded effects of civil conflicts and natural disasters. The humanitarian situation in Somalia has been further aggravated by the recent escalation of violence. Some 124,000 people have fled Mogadishu since February 2007. Of those, at least 47,000 have fled since 21 March. This was the fifth wave of displacement since 2006, triggered either by conflict or natural disasters.

36. The post-Deyr survey, led by the Food Security Assessment Unit of the Food and Agriculture Organization of the United Nations (FAO), estimated that some 1 million Somalis, including 400,000 internally displaced persons, would be in need of assistance and protection over the next six months, compared to the 1.8 million people in need identified in 2006. Despite the overall improvement, Somalia remains chronically food insecure, particularly in the Gedo, Middle and Lower Juba regions.

37. The provision of assistance in a highly insecure environment characterized by scant access remains the main challenge for the humanitarian community. In January 2007, the United Nations Humanitarian Coordinator for Somalia requested the Transitional Federal Government to allow the immediate use of a number of airstrips, including the K-50 airstrip near Mogadishu, for humanitarian flights. The Transitional Federal Government is questioning the insistence of the United Nations in using the K-50 airstrip as opposed to Mogadishu's international airport. As road access in south-central Somalia might become increasingly difficult owing to the rains due with the beginning of the *gu* season, the reopening of the K-50 airstrip is vital if the Organization is to respond to the needs of internally displaced persons. Meanwhile, Jowhar and Kismayo airports are open, and day missions for United Nations staff are possible. Delays by Kenyan border authorities in fully implementing their Government's directive to facilitate cross-border operations into Somalia further hinder relief efforts. Since the Kenyan border with Somalia remains closed, Somalis continue to be prevented from seeking asylum and refuge. In order to respond effectively within the evolving environment, the humanitarian community is taking a number of steps, including:

(a) Moving towards a needs-based approach and away from an access-based approach to the provision of assistance;

(b) Stepping up investment in security to enable the rehabilitation of United Nations compounds and an increase of personnel to be fielded in Mogadishu and south-central Somalia;

(c) Increasing investment in south-central Somalia, where the bulk of humanitarian needs is found, and encouraging more international partners to be active in this area.

38. To ensure principled action and a "do no harm" approach, the humanitarian community is developing a set of joint operating principles to promote behaviour in line with humanitarian principles and to avoid the political use of humanitarian aid.

E. Human rights situation

39. Detailed information and data about the human rights situation in Somalia, in particular in south-central Somalia, remains difficult to obtain owing to insecurity and the relative weakness of independent actors conducting systematic information collection activities on the ground. It is, however, possible to identify some general human rights trends based on the available material. Long-term economic, social and cultural rights violations, including widespread impoverishment of the population, are compounded by serious civil and political rights violations perpetrated by all parties, which have created an alarming human rights situation. Civilians continue to be exposed to indiscriminate violence, in particular in south-central Somalia. In the absence of law and order, they are often caught in the crossfire and are subjected to forced displacement.

40. Freedom of expression and opinion and threats to the media remain issues of serious concern. Unresolved land and property rights issues are often the root cause of clan-based conflicts. Discrimination and abuse of marginalized groups and minorities continue unabated. Sexual abuse and exploitation of women and the recruitment of children into armed groups are further concerns. In the absence of mechanisms for the protection of human rights defenders, Somali human rights organizations continue to operate in a context of insecurity and fear. The efforts of human rights defenders and independent journalists in Somalia must be respected and protected by the transitional institutions and supported by the international community.

41. The Transitional Federal Charter contains many positive human rights provisions, including specific reference to international human rights treaties ratified by Somalia. Implementation of these provisions is, however, severely lacking. The transitional institutions, including the judiciary, remain weak, while the Transitional Federal Government has minimal capacity for law enforcement and the protection of people's rights. Customary law, sharia and various national legal standards are applied arbitrarily in the absence of a national legal framework. The drafting of a national constitution will be an important next step in building a legal framework with strong provisions for the protection of all human rights.

42. With regard to the African Union Mission, I note that the Union has welcomed human rights training and the establishment and enforcement of a code of conduct for the military contingent. I also welcome the fact that the plan for the civilian contingent of the Mission contains provisions for a human rights component.

F. Development and reconstruction efforts

1. Reconstruction and development programme for Somalia

43. A post-conflict needs assessment exercise for Somalia, known as the joint needs assessment, was launched in early 2005 with the objective of assessing needs and developing a prioritized set of reconstruction and development initiatives to support Somali-led efforts to deepen peace and reduce poverty. The consultative process involved the Transitional Federal Government, local and traditional authorities, parliamentarians, civil society organizations, the private sector, and religious leaders. The United Nations, the World Bank and major traditional donors for Somalia were committed to and actively involved in coordinating the process.

44. Based on the findings of the joint needs assessment, a reconstruction and development programme for Somalia is now in the final phases of consultation and revision. The programme lays out a framework of agreed and sequenced national priorities, which can be drawn on by national and international partners to develop their own responses to the needs in Somalia. It includes a fully costed results-based matrix for five years, starting in 2008, totalling $2.25 billion. The overarching goal of the programme is to deepen peace and reduce poverty. Key processes for stabilization, such as strengthening national police, disarmament, demobilization and reintegration, constitutional reform and reconciliation, are all included in the programme. To respond to the different situations existing within south-central Somalia, "Puntland" and "Somaliland", the programme includes three volumes, one for each of these geographic areas.

2. United Nations country team priorities in 2007

45. In early 2007, the United Nations country team recognized that a rare opportunity existed for the transitional federal institutions to consolidate themselves and for the Government to extend its authority and enhance its credibility with the Somali people. A number of priorities were identified, aimed at providing quick and concrete assistance for the Somali people, in line with the priorities of the reconstruction and development programme and complementary to those outlined in the consolidated appeals process. The overall objective is to support stabilization in Somalia through strengthened transitional federal institutions, in particular those responsible for rule of law and security, an aim which can only be achieved through inclusive dialogue for reconciliation, and the provision of urgent services to the population so as to achieve noticeable improvements in the lives of Somalis.

46. The focus is on: providing basic support to establish the main institutions and local administrations in key regions; strengthening the national police force through institutional capacity-building, the provision of training and equipment and implementing of disarmament, demobilization and reintegration, if possible; providing urgent basic social services, education and essential health services; helping find solutions for internally displaced persons who have been living in Mogadishu's public buildings for a decade; and helping to create employment opportunities. While international partners were generally supportive of the broad outlines of the priorities, funding has not been forthcoming. Events since then have posed operational challenges to implementation, especially in Mogadishu. Despite these constraints, notable progress has been made in most sectors, including early recovery.

3. United Nations transition plan 2008-2009

47. The United Nations country team is also planning its strategy for support to the reconstruction and development programme in 2008-2009. A United Nations transition plan is focused on supporting a transition in Somalia from conflict to peace and from crisis to recovery and longer-term development.

48. Assuming that the situation remains volatile and uncertain through the rest of the transition period, the United Nations country team has identified five core areas for support to Somalis in building a durable peace and starting the reconstruction and development of their country. These core areas are aimed at:

(a) Helping to build federal and state institutions that function with accountability and inclusion;

(b) Supporting the establishment of regional and district governments, which are responsible for providing most basic services;

(c) Contributing to better public security and access to justice to replace impunity and mistrust in institutions;

(d) Expanding education and health services, in particular for children and vulnerable groups;

(e) Providing sustainable livelihood opportunities and promoting improved food security and natural resource management.

49. Human rights, gender equality and HIV/AIDS prevention, treatment and care will be mainstreamed throughout these core activities.

4. Security sector reform

50. The Somali people need significant support for comprehensive security sector reform, which is vital for the creation of a safe and secure environment. Capable Somali security forces, representative of all clans, are essential to achieving sustainable peace. The National Security and Stabilization Plan makes initial provisions for security sector reform. International partners are urgently required to support Somali efforts to restructure security and law enforcement services, the judiciary and correctional services. With the assistance of UNDP, encouraging progress has already been made in setting strategic priorities for the re-establishment of the Somali police force and judiciary. However, the volatile security situation has hindered the deployment of police and judiciary personnel to the capital and south-central regions.

51. The disarmament, demobilization and reintegration of militias and other armed groups will also be central to building sustainable peace and security in Somalia. The requirement for such a programme is recognized by the Transitional Federal Charter and the National Security and Stabilization Plan. The African Union Peace and Security Council mandated the Union's Mission in Somalia to provide, within their capabilities and as appropriate, technical and other support to the disarmament and stabilization effort. Should progress be made towards reconciliation and a conducive security environment be established, there will be a clear need to implement a voluntary national disarmament, demobilization and reintegration programme. United Nations support should be oriented towards helping establish

the conditions for a national programme and support for the implementation of the programme itself.

52. To that end, efforts will be required to, inter alia, provide the Transitional Federal Government with technical advice during the national reconciliation congress and in capacity-building for the disarmament and demobilization committee, which is envisaged in the Transitional Federal Charter but has yet to be formally established. Advocacy and other measures to prevent the recruitment and ensure the release of children associated with armed forces and groups should be instituted, as should plans to address the proliferation of weapons in Somalia through arms control programmes and other efforts to stem the illicit supply of weapons. In doing so, it will be important to take into account existing programmes in this field, such as those undertaken by UNDP. It will also be vital that early and concerted efforts be made towards the sustainable reintegration of former combatants.

G. Possibility of the deployment of a United Nations peacekeeping operation

53. The possibility, the usefulness and the applicability of a United Nations peacekeeping operation in Somalia depends on a number of factors, including: conditions on the ground; broad-based support for the Somali transitional process; the Transitional Federal Government's ability to include all segments of Somali society in a constructive dialogue for reconciliation; and progress in the political process. Past and current experiences show that peacekeeping operations are most likely to succeed and to play a positive role when they are based on clear objectives, are deployed in support of a political process and enjoy the broad consent of all major stakeholders. Through its meetings and visits, the assessment mission sought to assess whether these conditions existed or were anticipated in Somalia.

54. At the start of the assessment mission, most interlocutors expressed the belief that a window of opportunity existed for a political process to take root in Somalia, with the firm support of the international community, including through a peacekeeping operation. They noted that the Somali people appeared tired of conflict and ready for peace, and that they would welcome United Nations peacekeepers provided their deployment resulted in more stability, development and improved livelihoods. However, there were marked differences in the interlocutors' assessments of the present security situation and its future prospects. In addition, there was general recognition that a number of actors continued to profit from instability and the lack of a central government and therefore had little desire to see the situation improve.

55. Efforts such as the planned national reconciliation congress require a relatively stable and secure environment, which is currently not present in Mogadishu. There is an immediate need to secure an end to the fighting, possibly through a declaration on a cessation of hostilities and a commitment to peace by the Transitional Federal Government and all, or at least a majority of, the armed groups and communities in the capital. This declaration could follow a ceasefire in Mogadishu or constitute an outcome of the reconciliation process. Such a declaration and commitment would need to be supported by detailed technical implementation modalities that could be monitored and verified by a United Nations peacekeeping operation.

56. The willingness of all major clans and sub-clans to engage and make progress in a reconciliation process will be the best indicator for the possibility of a United Nations peacekeeping operation. However, the existence of such willingness remains unclear. Moreover, as witnessed in the past six months alone, the situation in Somalia remains very unpredictable, making it difficult to offer a definite recommendation at this point with regard to the possible deployment of a United Nations peacekeeping operation in support of the peace process.

57. In light of these considerations, the assessment mission has formulated two possible scenarios. On this basis, I should like to offer, for the consideration of the Security Council, corresponding options for United Nations or other engagement, depending on the scenarios that may materialize in the coming crucial months. Clearly, investment and engagement now, both in the African Union Mission and the reconciliation process, could influence subsequent events and the future scenario.

58. The first scenario envisages a situation in south-central Somalia in which hostilities have ceased and all or most armed groups and communities have signed an agreement that would allow for external monitoring. The security situation throughout south-central Somalia would be for the most part permissive, but fragile in Mogadishu. The reconciliation process would be broad, as inclusive as possible and ongoing. However, some elements, such as extremists or hardline Union of Islamic Courts remnants, could remain outside the process, resulting in some spoiler activity. Under this scenario, United Nations involvement would primarily focus on technical assistance to the reconciliation efforts and reconstruction and development, supported by an appropriate United Nations peacekeeping presence.

59. An integrated multidimensional United Nations mission could provide support to the transitional process, particularly through reconstruction and development; monitor and verify the provisions of an agreement on the cessation of hostilities; contribute to securing airports, seaports and lines of communication; monitor, investigate and report on the human rights situation; contribute to disarmament, demobilization and reintegration and security sector reform, including by providing assistance for building the capacity and integrity of the Somali police and other law enforcement agencies and support for the re-establishment of the judiciary and prisons; contribute to the prevention of the illicit passage of arms and materiel into Somalia in violation of the arms embargo; and protect United Nations personnel, assets and facilities. The size and configuration of the mission would depend on the details of the reconciliation agreements and would be subject to the prevailing political and security situation on the ground, and further detailed assessment. The mission would need a military component with land, maritime and air elements and a sizable civilian component, including civilian police. The mission would need both the mandate and the capability to deal with spoiler activity.

60. Under the second scenario, the political process would have made insufficient progress or would have failed altogether. In parallel, the security situation would remain highly volatile or have further deteriorated, with ongoing fighting between clans or between Transitional Federal Government forces and opposing elements. In such a semi- or non-permissive environment, the African Union Mission would find it difficult to operate and its ability to control the situation would be questionable. The deployment of a United Nations peacekeeping operation would not be possible or appropriate under this scenario, and alternative options, including peace enforcement, should be considered. An operation mandated by the United Nations,

mounted by and composed of a coalition of the willing with the appropriate capabilities to deal with the high paramilitary threat would be better suited to the circumstances of this scenario.

61. The Security Council should take into consideration the fact that a United Nations operation could deploy under the first scenario and then find the peace process beginning to unravel. In such an event, the security situation on the ground could rapidly deteriorate, with the attendant risk of a slide into the second scenario. To take this possibility into account, provision would need to be made in planning for a rapidly deployable capacity, over the horizon, to be activated in extremis to prevent mission failure.

62. Even in a best-case scenario, disarmament, demobilization and reintegration efforts would be challenging and would need to be tailored to the unique Somali situation, coordinated with security sector reform efforts and closely linked to a comprehensive political settlement. The efforts would also need to take into account district-based reconciliation and local governance initiatives. As a first step, disarmament, demobilization and reintegration efforts could involve agreement by all major armed groups to the storage of heavy weapons under United Nations control, while small arms could be registered. A significant small arms and light weapons control programme would need to follow disarmament, demobilization and reintegration.

63. A United Nations peacekeeping operation could help the Somali police force through capacity-building and direct security support through the deployment of formed police units in order to assist in the maintenance of law and order and the provision of effective policing services to their communities, taking into account existing United Nations police programmes under UNDP and integrating these efforts effectively. Any future United Nations operation should also include a human rights component, which would conduct activities including monitoring, investigating, reporting, advising and supporting human rights capacity development and awareness-raising, in coordination with other components of the mission and the United Nations country team. A United Nations operation would also ensure that the military and police contingents are trained in and follow rules of engagement and operating procedures in conformity with international human rights standards. The provision of United Nations support to the rule of law sector should be in accordance with the approach set forth in my predecessor's report on enhancing United Nations support for the rule of law (S/2006/980-A/61/636 and Corr.1).

64. In their discussions with the assessment mission, members of the United Nations country team expressed concern about the possible deployment of a United Nations peacekeeping operation in Somalia. They advised that a light integration of humanitarian coordination mechanisms should be pursued to ensure consistency between the functions of the mission and the humanitarian activities implemented by United Nations agencies outside of the mission and by the wider humanitarian community, so as to safeguard humanitarian principles and ensure an impartial and independent humanitarian space.

65. The deployment of a United Nations peacekeeping operation would not be without significant logistical challenges. Although there are many ports and airfields in Somalia, most are in poor condition and have limited facilities. Transportation, health services and communications infrastructure are lacking, although cellular

telephone coverage in Mogadishu is reportedly good. There is also a lack of local sources and contractors, which would result in a heavy reliance on maritime and air transport to support deployment and sustainment, in particular during the rainy seasons. The mission was cautioned that reliance on local contractors may jeopardize the security of the operation. Personnel numbers and the costs of any operation are likely to be high and additional military logistics capabilities would be required for several months in the early stages of the operation. Overall, to deploy and sustain a United Nations peacekeeping operation, air and sea ports and lines of communication would need to be secured. Considerable lead time and preparatory work would be required.

IV. Conclusions and recommendations

66. As was the case following the establishment of the transitional federal institutions in 2004, the current situation in Somalia provides an opportunity to re-establish solid institutions of governance and to finally turn the page on 16 years of instability and the subsequent suffering of the Somali people. The next few weeks and months will be critical. Concerted efforts and investment by the international community are urgently required to help stabilize Somalia and facilitate reconciliation and peace. While the challenges are considerable, there are political, humanitarian and regional security imperatives that can assist the Somali people in recovering from years of statelessness and to avoid a slide back into chaos and more violence.

67. It is important to reiterate that the primary responsibility for achieving peace and stability rests with the Somali leaders and people. They must demonstrate sufficient political will and leadership to overcome their differences and engage in an all-inclusive process, which remains essential for the success of all peace efforts in Somalia. The United Nations and the international community as a whole should continue to support genuine Somali-led dialogue and reconciliation efforts in Somalia as the basis for our collective efforts to promote sustainable peace, stability and reconstruction.

68. The planned national reconciliation congress is an important step in this direction. I urge the international community to provide political, technical and financial support to the congress. For its part, the United Nations intends to support the process, including through existing projects, by, inter alia, providing a team of technical advisers, including political, reconciliation, constitutional, governance, military, police, human rights and disarmament, demobilization and reintegration experts. The advisers will play a dual role: they will provide technical assistance to the process in support of the international advisory committee; and they will assist in monitoring and measuring progress in the preparation of the national reconciliation congress against a number of benchmarks, such as inclusiveness of the process, the security situation on the ground and the attainment of an agreement on a cessation of hostilities.

69. A well-prepared and sufficiently inclusive national reconciliation congress has the potential to play an important role in the broader process of addressing the past and building the future. It is essential that the congress proceed in conformity with international standards, including those outlined in my predecessor's report on the rule of law and transitional justice (S/2004/616). It is also important that the

Congress not be viewed as an end in itself but as part of an ongoing reconciliation and State-building process aimed at broadening the support base of the transitional federal institutions; strengthening the capacity of institutions to maintain security, restore the rule of law and deliver essential services to the people; fostering transitional justice; and assisting in the successful completion of the transition process as outlined in the Transitional Federal Charter. In addition to supporting the congress, it is essential to explore all possible avenues to promote inclusive dialogue and genuine reconciliation between the transitional federal institutions and all other stakeholders.

70. The international community should also urgently support the African Union with all means at its disposal. It is crucial that sufficient financial and logistical resources be provided to the African Union Military Observer Mission in Somalia to enable it to complete deployment and carry out its mandate effectively, thereby facilitating the withdrawal of the remaining Ethiopian forces and contributing to a more stable and secure environment in Somalia. Investment in the Mission now would both benefit and shape the subsequent requirement for international engagement in Somalia.

71. It is imperative to secure an immediate end to the fighting, through a cessation of hostilities and a commitment to peace by all stakeholders, supported by detailed technical implementation modalities. The pursuit of military solutions to stabilize Mogadishu is likely to be counterproductive, creating long-term resentment among certain clans and communities and damaging the prospects for the reconciliation process. There is also a need to dissuade some regional actors from contributing to instability and the proliferation of arms in Somalia, while encouraging positive contributions from others. I urge the international community, under the coordination of my Special Representative, to intensify their efforts in this regard. Continued close engagement of the United Nations with IGAD, the African Union and the League of Arab States is also essential to ensuring a common and coherent regional support for the Congress and other efforts aimed at promoting peace and reconciliation in Somalia.

72. I would like to recommend that the Security Council review the situation in Somalia again by mid-June 2007, with a view to determining whether the conditions are in place for the deployment of a United Nations peacekeeping operation, subject to progress in the reconciliation process and developments on the ground.

73. Notwithstanding the above, the Security Council may wish to consider authorizing the Secretariat to begin appropriate contingency planning for a possible operation in order to reduce the lead time required. Such planning should include the allocation of funds and the initiation of force generation to encourage firm pledges from troop- and police-contributing countries. Any deployment of staff and troops would remain subject to developments on the ground and a subsequent Council resolution establishing the mandate and size of a mission. It would also be essential to include the United Nations country team from the outset in any integrated planning process for a United Nations peacekeeping operation, to ensure that the operation would build on and coordinate with existing United Nations programmes in support of Somalia's humanitarian and reconstruction priorities.

74. With regard to disarmament, demobilization and reintegration of former combatants, the United Nations should start immediately with preparatory activities in anticipation of the establishment and implementation of a national programme in this area, subject to a comprehensive political settlement or security sector reform programme.

75. The success of reconciliation and peacebuilding efforts depends largely on whether Somalis rapidly perceive positive dividends. As a result, recovery and reconstruction initiatives are crucial to supporting reconciliation, peacebuilding and the consolidation of the transitional institutions. Effective implementation of the reconstruction and development programme would make a significant and positive impact on the lives of the Somali people and would contribute to deepening peace through reconciliation. Success in implementing the programme will require the full support of the international community. I urge donors to generously support the reconstruction and development programme, which should serve as the central framework for the implementation and coordination of all internationally supported, Somali-led recovery and reconstruction activities in Somalia. I also urge the transitional federal institutions to do their utmost to ensure the effective implementation of the programme.

76. It is also essential that the process of building and strengthening the transitional federal institutions be based on the strong and principled framework contained in the Transitional Federal Charter, including the international human rights instruments ratified by Somalia. The Transitional Federal Government has a primary responsibility to uphold these commitments. Twelve per cent of the seats in the Transitional Federal Parliament are reserved for women, and there is a provision for a cabinet minister for gender and family affairs. These provisions have not yet been implemented and there is a very limited participation rate of women in social and political spheres. These gaps need to be rectified. In addition, widespread gender-based violence and discrimination are issues which must be urgently addressed.

77. Since 1991, successive United Nations independent experts on the human rights situation in Somalia have been reporting on massive and systematic human rights violations in the country, which often amounted to international crimes. They have also recommended practical measures to enhance the capacity of relevant actors in Somalia to promote and protect human rights. Their recommendations should be used to inform a national programme in this area.

78. While the United Nations and its partners redouble their efforts to secure durable peace and stability in Somalia, it is essential that everything be done to meet the immediate humanitarian needs of the Somali population. I therefore urge donors to generously support emergency relief operations in the country through the United Nations consolidated appeals process for Somalia.

79. The provision of assistance to a large population dependent on humanitarian aid in a highly insecure environment demands the safeguarding of an impartial and independent humanitarian space and humanitarian principles. The establishment of an enabling environment for the delivery of humanitarian assistance and protection in Mogadishu and south-central Somalia needs to be supported by all parties, regardless of political considerations. United Nations agencies will continue to support grass-roots reconciliation initiatives to contribute to expanding humanitarian access. The United Nations Humanitarian Coordinator for Somalia will engage in a series of humanitarian diplomacy initiatives with relevant Somali stakeholders, including clan elders, the business community, religious and political leaders and women's groups, to help secure more humanitarian space in the country.

80. In conclusion, I would like to thank all the interlocutors of the United Nations technical assessment mission for the cooperation they extended to the team members during their consultations.